

Introduced by Senator Chesbro

February 21, 2003

An act to add Section 15867 to the Government Code, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 902, as introduced, Chesbro. State property.

The existing Property Acquisition Law authorizes the State Public Works Board to select and acquire, in the name of and on behalf of the state, with the consent of the state agency concerned, the fee or any lesser right or interest in any real property necessary for any state purpose of function.

Existing law authorizes the creation of conservation easements, as defined, that may be acquired and held only by tax-exempt nonprofit organizations and the state or any other state or local governmental entity authorized to acquire and hold title to real property if the conservation easement is voluntarily conveyed.

This bill would authorize the board, if it acquires real property for the purpose of protecting or benefiting the state's cultural, historical, natural, or recreational resources in conjunction with another governmental agency or a tax-exempt nonprofit corporation, to agree with the governmental agency or tax-exempt nonprofit organization to include covenants or restrictions on the use of the real property that may be enforceable by either party.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 15867 is added to the Government
2 Code, to read:
3 15867. Notwithstanding any other provision of law, if the
4 board acquires real property for the purpose of protecting or
5 benefiting the state's cultural, historical, natural, or recreational
6 resources in conjunction with another governmental agency or a
7 tax-exempt nonprofit corporation that contributes consideration
8 toward the purchase, the board, on behalf of the state agency
9 concerned, may agree with the governmental agency or the
10 tax-exempt nonprofit corporation to include covenants or
11 restrictions on the use of the real property that may be enforceable
12 by either party. The agreement shall be on terms acceptable to the
13 state agency on whose behalf the real property interest is acquired.

